

**Town of La Pointe Zoning
Town Plan Commission Special Monthly Meeting Minutes
Wednesday, March 03, 2010**

Town Plan Commission (TPC) Members Present: Ted Pallas; Chair, Charles Brummer; Vice-Chair, Larry Whalen (leaves at 6:02), Ron Madich, Greg Thury, Carey Baxter, Suellen Soucek (7).

Town Plan Commission Members Absent: none.

Public Present: Burke Henry, Paul Brummer, Charles Nelson (3).

Town Staff Members Present: Jennifer Croonborg; ZA, Margaretta Kusch; ZCA (2)

I. Call to Order/Roll Call

Chair Pallas called the meeting to order at 4:00 PM at the Town Hall. Roll call reflected members present or absent as recorded above.

II. Public Comment

III. Approval of Previous Meeting Minutes:

1. Town Plan Commission Special Monthly Meeting, February 10, 2010

On page 4, correct numbering of list so that the first number is "1." not "2."

On page 4, the paragraphs illustrating original and amended versions of Section 7.2 J is identical. Replace first instance of text with original text of 7.2 J.

G. Thury moves to approve as amended the Town Plan Commission Special Monthly Meeting minutes of Wednesday, February 10, 2010. R. Madich seconds. All in favor, 6 aye, 1 abstain (S. Soucek). Motion Carries.

C. Brummer makes a motion to move up item VII New Business, both A and B. G. Thury seconds. All in favor, 7 aye. Motion Carries.

IV. Zoning Administrator's Report

An email was received from Tom Fratt of the Ashland County Land and Water Conservation Department regarding the need for shoreland mitigation plans and a document for a Memorandum of Understanding (MOU) between the four departments relevant to administration of shoreland mitigation plans and construction site erosion and stormwater management plans. Those four departments are Ashland County Land and Water Conservation, Ashland County Planning and Zoning, Town of La Pointe Zoning, and the Wisconsin Department of Natural Resources Water Regulations. Mr. Fratt attached a draft MOU and a draft Mitigation Plan would like a response by March 10, 2010.

The Town Plan Commission is fine with these drafts. J. Croonborg, ZA will respond to Mr. Fratt saying so and will forward this to the Town Board as well.

V. Consideration and/or Action of Permit Applications:

1. Dalquist Properties RE: Addition/Alteration at 2964 North Shore Rd., LP #014-00338-0300.

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Larry Hildebrandt has issued the Ashland County permit. Chair Pallas asks Charles Nelson, the contractor, if sanitary permits are issued. Mr. Nelson responds that there are two sanitary systems at the property currently, but that the County requires a new system be installed as the property is within 75 feet of Lake Superior and the current system is likely from 1927. Chair Pallas states that he has no problem with remodeling being done inside the house without a permit. J. Croonborg, ZA feels that it is Ashland County's responsibility to enforce any sanitary requirements that they have made. It is decided that as sanitary systems already exist at the property, the Town Plan Commission has no issue with the permit being given.

C. Brummer moves to direct the Zoning Administrator to issue the land use application for the Dalquist property. S. Soucek seconds. All in favor, 7 aye. Motion Carries.

VI. Old Business

1. Zoning Ordinance Revision Project

a. Review and possibly revise working draft of tentative Ordinance Revision, Sections 1.0 through 16.0

- In Section 2.0 Definitions, change definition for Dwelling from *"A building or part thereof designed or used exclusively as a residence or sleeping place, but not used at all for transient occupancy"* to read *"A building or part thereof designed or used exclusively as a residence or sleeping place, but not used for transient occupancy, except when complying with Sections 6.2 B and 6.2 C."*
- In Section 2.0 Definitions, change definition of Family from *"A person or persons living alone or together in one dwelling unit as a single housekeeping entity"* to read *"A person living alone or two or more people living together as a single housekeeping unit as distinguished from a group occupying a lodging facility."*
- In 3.1 W-P Wetland Protection district, change format of first paragraph from:

"This district includes swamplands and areas that have a water table at or near the surface all or a substantial part of the year. The purpose of this district is to prevent development from areas:

(1) Not generally capable of supporting structural development;

(2) Providing the wetlands necessary to the support of various species of wildlife"

to this format:

"This district includes swamplands and areas that have a water table at or near the surface all or a substantial part of the year. The purpose of this district is to prevent development from areas not generally capable of supporting structural development and to provide the wetlands necessary to the support of various species of wildlife."

- In 3.1.7 B S-1 Shoreland Protection District Conditional Uses, items 1 and 5, replace the word *"outside"* with the word *"within."*
- Add title to 4.3.5: *"Alteration of Non-Conforming Lots of Record."*

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- In 4.4.1 Temporary Camping, item A.6, delete “*subsection 7*” and combine A.6 and A.7 into one item, for clarity. The item will read:

“The Temporary Camping unit shall be removed from the property after each temporary camping stay. If a principal building is located on the lot, one temporary camping unit may be stored outdoors. The stored temporary camping unit shall meet all required setbacks and yards. The stored temporary camping unit shall be in an in-transit position with no utility connections, windows and doors closed, and not used for sleeping purposes.”

b. Section 6.0 Regulation of Special Uses: discuss possible addition of regulations regarding employee housing

Employee housing discussed in depth, focusing on the need for regulation and the potential for it being designated a conditional use. The number of individuals to be allowed to reside in employee housing units is discussed, as well as what zoning district(s) employee housing should be a permitted or a conditional use. Definitions of “family” and “dwelling” discussed and Ordinance definitions changed (see above, item a, for modified definitions). Agreement to devote upcoming workshop to employee housing.

c. Section 4.0 General Provisions: discuss possible addition of regulations regarding erosion control

Not discussed.

VII. New Business

1. Alternative Energy Committee: discuss questions regarding zoning regulations for wind energy systems

Burke Henry gives a power point presentation detailing the actions, findings, and future plans of the Alternative Energy Committee’s study of wind power on Madeline Island. A brief discussion ensues on the subject of alternative energy sources.

2. Review of outstanding Conditional Use Permits

a. Madeline Island Yacht Club: Conditional Use Permit for warehouse at N663 Main St., LP #014-00200-0200

b. Hartzell, Robert: Conditional Use Permit for “Year-Round Resort, Spa, and Exercise Facility” at 580 Mondamin Tr., LP #014-00206-0200

Both items are discussed as relating to one subject: the Conditional Use Permit process. J. Croonborg, ZA asks the Town Plan Commission if they consider either of these Conditional Use Permits to be issued, as neither has been issued sanitary permits. C. Brummer states that both of these situations illustrate a weakness in the Conditional Use Permit process. There is an issue of Conditional Use Permits unintentionally sitting in limbo and not being developed for many years due to sanitary (or other necessary permits) not being issued. Chair Pallas feels that these two Conditional Use Permits are not to be considered issued until their sanitary permits are issued. J. Croonborg, ZA asks if the issuance of these two Conditional Use Permits and timeline for their expiration

will begin when sanitary permits are issued. The Town Plan Commission agrees that this will be the case.

C. Brummer moves to move back to item IV on the agenda. G. Thury seconds. All in favor, 7 aye. Motion Carries.

VIII. Future Agenda Items

IX. Schedule of Next Meeting

The next Town Plan Commission workshop will be held on Tuesday, March 9, 2010.

X. Adjournment

G. Thury moves to adjourn. S. Soucek seconds. All in favor, 6 aye. Motion Carries. Meeting ends at 6:15 pm.

Draft Town Plan Commission Minutes respectfully submitted by Margaretta Kusch, ZCA, Thursday, March 4, 2010.

Town Plan Commission Minutes are approved as amended by Margaretta Kusch; ZCA on Wednesday, March 17, 2010.